

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	Chapter 11
)	
Montrose Multifamily Members, LLC, <i>et al.</i> ¹)	Case No. 22-90323
)	
Debtors.)	Jointly Administered
)	
)	

AGREED FINAL ORDER
(Relates to Docket No.)

Came on for consideration the Debtors' Emergency Motion for Order Authorizing the Continued Use of Existing (I) Cash Management System and (II) Bank Accounts (the "Motion"). After considering the Motion and evidence, the Court finds that the requested relief should be granted on a final basis. It is therefore,

ORDERED THAT:

1. The Debtors are authorized on a final basis to maintain and use its current cash management system through its current bank accounts (the "Accounts") at Prosperity Bank ("Prosperity") identified below. Debtors shall provide notice to the U.S. Trustee and any statutory committee appointed in these chapter 11 cases of any material changes to their Cash Management System.

<u>Account Ending</u>	<u>Debtor Account Holders</u>
5691	Colquitt 2008 LP
5659	Graustark Members II LLC
5667	Kipling Partners LLC
5683	Montrose Multifamily Members LLC
5632	Montrose Multifamily Members II LLC
5675	MT Vernon Members LLC
5640	Norfolk Partners LLC
5705	Westmoreland Partners LLC

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Montrose Multifamily Members II, LLC (5725); Colquitt 2008, LP (6108); Westmoreland Partners, LLC (1492); Graustark Members II, LLC (1605); Kipling Partners LLC (2339); MT Vernon Members, LLC (5014); and Norfolk Partners LLC (3182). The location of Debtor Montrose Multifamily Members, LLC's principal place of business and the Debtors' service address is 4203 Montrose Blvd, Suite 400, Houston, Texas, 77006.

2. The Debtors are authorized on a final basis to continue their existing practices as to amounts required by law to be withheld or collected for taxes.

3. The Debtors may use their existing check stock through Prosperity on a final basis. Prosperity is authorized to maintain, service, and administer the accounts of the Debtors as debtors in possession, without interruption and in the ordinary course, and to receive, process honor, and pay, to the extent of available funds, any and all checks, drafts, wires, credit card payments, and ACH transfers issued and drawn on. Prosperity is authorized to debit the Accounts in the ordinary course of business without need for further order of this Court for: (a) all checks drawn on the Accounts that are cashed at Prosperity and (b) all checks or other items deposited in the Accounts that may have been dishonored or returned unpaid for any reason.

4. The automatic stay of 11 U.S.C. § 362 remains in effect as to the banks at which the Debtors maintain their accounts.

5. The Debtors are authorized to continue to use existing books and records and shall not be required to establish new books and records as required by the United States Trustee's Operating Guidelines, provided that the Debtors make appropriate notations in their books and records to reflect the filing of their chapter 11 petitions ; *provided* that once they have exhausted their existing stock of Business Forms, they shall ensure that any new Business Forms are clearly labeled "Debtor In Possession" and with respect to any Business Forms that exist or are generated electronically, the Debtors shall ensure that such electronic Business Forms are clearly labeled "Debtor In Possession" within 10 business days.

6. The Debtors will amend the signature cards for their bank accounts to reflect the status as debtors-in-possession and shall provide a copy of such to the United States Trustee.

7. The Debtors shall maintain accurate and complete records of all transfers within the Cash Management System, including transfers between Debtors, so that all post-petition transfers and transactions shall be adequately and promptly documented in, and readily ascertainable from, their books and records, to the same extent maintained by the Debtors before the Petition Date. The Debtors shall (a) maintain records of all Intercompany Transactions, and (b) make such records available to the U.S. Trustee and any statutory committee upon request. To the extent that the transfers within the Cash Management system are disbursements, they will be noted and reflected on the monthly operating reports.

8. To the extent any of the Debtors' Bank Accounts are not in compliance with section 345(b) of the Bankruptcy Code or any of the U.S. Trustee's requirements or guidelines, the Debtors shall have until January 16, 2023, without prejudice to seeking an additional extension, to come into compliance with section 345(b) of the Bankruptcy Code and any of the U.S. Trustee's requirements or guidelines; provided that nothing herein shall prevent the Debtors or the U. S. Trustee from seeking further relief from the Court to the extent that an agreement cannot be reached.

Reserved for Judge's Signature

Agreed by as to form and substance:

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